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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/335,031 06/16/99 IWAMURA

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005514 TM02/0921
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112

EXAMINER

ART UNIT	PAPER NUMBER
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2164
DATE MAILED:

09/21/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.
09/335,031

Applicant(s)
Iwamura

Examiner
Daniel Felten

Art Unit
2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 19, 2001
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-81 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-81 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

DETAILED ACTION

1
2 1. Receipt is acknowledged of the amendment filed July 19, 2001 amending claims 24-28,
3 33-36, 41, 43, 46, 49, 50-52 and adding claims 54-81. Claims 24-81 are now pending in the
4 application and are presented for examination upon their merits.

Response to Arguments

5
6
7 2. Applicant's arguments regarding amended claims 24-81, filed July 19, 2001 have been
8 fully considered but they are not persuasive. Examiner maintains the rejection(s) from the
9 previous office action mailed March 14, 2001 under Paper No. 4 for method claims 24-53 and
10 the newly added apparatus claims 54-81. Reasoning for examiner's position is given as
11 follows:

12
13 **Regarding method claims 24, 28, 33, 46 and apparatus claims 64 and 70:**

14 Applicant has added new claim language to the claims as follows:

15 "...judging the money information input from the input means account and outputting a permission signal
16 for permitting a use of *electronic* information provided by an information provider; and
17 a step of *processing so as to enable use of the electronic information provided by the provider in*
18 *accordance with the permission signal.*"

1 The examiner disagrees with applicant's submission that the aforementioned features
2 are not disclosed in Fukatsu. Fukatsu discloses, entering electronic information in the form of
3 a cashing amount, type of payment, and *password* via a ten-key pad 207 and selection keys
4 208 (see col. 17, lines 12-19). Electronic information is also provided from a user credit card
5 (see col. 16, line 67 to col. 17, line 11). All data submitted by the user is electronically
6 transmitted (or submitted) to the host computer 159 (see col. 17, lines 20-25), and *checked*
7 (or processed, or judged) for correctness before the use of the information is made in a
8 transaction, and a transaction *permission signal* is transmitted (see col. 17, lines 25+). The
9 feature of *checking* information involves a level of processing inasmuch as there is a tangible
10 result that is achieved by the computer acting on the provided electronic user information (the
11 *cashing amount*) to perform a calculation. Therefore the examiner maintains the previous
12 office action rejection(s) as being anticipated by Fukatsu.

13 The added claims 64 and 70 are apparatus claims with the same features cited above
14 and therefore are rejected for the same reason.

15
16 **Regarding method claims 25, 26, 34 and apparatus claims 65, 66, 76 and 77:**

17 Applicant has added new claim language to the aforementioned claim(s) as follows:

18 "...wherein *the electronic information to be provided is enciphered.*" and

19 "...wherein said *step of processing comprises a process of decoding the enciphered*
20 *electronic information.*"

1 (see password, col. 17, lines 12+)

2 The added claims 65, 66, 76 and 77 are apparatus claims with the same features cited
3 above and therefore are rejected for the same reason.

4
5 **Regarding method claims 27, 57 and apparatus claim 78:**

6 Applicant has added new claim language to the aforementioned claim as follows:

7 “...wherein said *step of judging judges the money information in accordance with the*
8 *money information and use charge information added to the electronic information to be*
9 *provided.*”

10 Electronic information is provided from a user credit card as well as manually from a
11 keypad (see col. 16, line 67 to col. 17, line 11; and see col. 17, lines 12-19). All data
12 submitted by the user is electronically transmitted (or submitted) to the host computer 159 (see
13 col. 17, lines 20-25), and *checked* (or *judged*) before the use of the information is made
14 available, and a permission signal is transmitted (see col. 17, lines 25+). The feature of
15 *checking* information involves a level of judging inasmuch as the system decides whether the
16 user information is correct or not, before deciding the next step (to stop or to proceed).
17 Therefore the examiner maintains the previous office action rejection(s) as being anticipated
18 by Fukatsu.

19 The added claims 65, 66, 76 and 77 are apparatus claims with the same features cited
20 above and therefore are rejected for the same reason.

1 **Regarding claim 41:**

2 (see the explanation of claims 24, 28 and 33 regarding the use of *electronic* information).

3 Applicant has added new claim language to the aforementioned claim as follows:

4 “...*processing so as to enable use of the electronic information provided by the*
5 *information provider in accordance with the judging*”

6 (see explanation of claim 27 in regards to the *judging* feature)

7
8 **Regarding claim 43:**

9 The rejection from the office action mailed March 14, 2001 of claim 43 is maintained by the
10 examiner.

11
12 **Regarding claims 49, 50, and apparatus claims 75:**

13 Applicant has added new claim language to the aforementioned claim as follows:

14 “...*inputting* first data indicating a first amount of money;
15 *inputting* second data *regarding electronic information subscribed from an information provider to a*
16 *terminal via a network.*”

17 Fukatsu discloses, entering electronic information in the form of a cashing amount,
18 type of payment, and *password* via a ten-key pad 207 and selection keys 208 (see col. 17, lines
19 12-19). Electronic information is also provided from a user credit card (see col. 16, line 67 to
20 col. 17, line 11). All data submitted by the user is electronically transmitted (or submitted) to

the the host computer 159 (see col. 17, lines 20-25), and *checked* (or processed, or judged) for correctness before the use of the information is made in a transaction, and a transaction permission signal is transmitted (see col. 17, lines 25+).

The added apparatus claim 75 are apparatus claims with the same features cited above and therefore are rejected for the same reason.

“...processing so as to enable use of the electronic information provided by the information provider in accordance with the judging.”

(see explanation of claim 27 in regards to the *judging* feature)

Regarding claims 51 and 52:

Applicant has added new claim language to the aforementioned claim as follows:

*“...a provider which provides electronic information with a price data of the electronic information,
a device which obtains money data recorded on a recording medium and the electronic information with the price data, in which the money dat is compared with the price data to judge if the money amount is enough...and performs processing so as to enable use of the electronic information provided by the information provider in accordance with the judging...”*

(see credit card, col. 16, line 20 to col. 17, line 19; see cash card, col. 17 line 53+)

1 " ...wherein said information *provider*, said terminal device and administrative terminal
2 are connected via a network."

3 (see col. 15, lines 3-20)

4
5
6 ***Conclusion***

7
8 3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
9 policy as set forth in 37 CFR 1.136(a).

10 A shortened statutory period for reply to this final action is set to expire THREE
11 MONTHS from the mailing date of this action. In the event a first reply is filed within TWO
12 MONTHS of the mailing date of this final action and the advisory action is not mailed until after
13 the end of the THREE-MONTH shortened statutory period, then the shortened statutory period
14 will expire on the date the advisory action is mailed, and any extension fee pursuant to 37
15 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
16 however, will the statutory period for reply expire later than SIX MONTHS from the mailing
17 date of this final action.

18
19 4. Any inquiry concerning this communication or earlier communications from the examiner
20 should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The
21 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.
22 Any inquiry of a general nature relating to the status of this application or its proceedings should
23 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
24 ***Vincent Millin*** whose telephone number is (703) 308-1065.

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4 5. Response to this action should be mailed to:
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6 Commissioner of Patents and Trademarks

7 Washington, D.C. 20231
8

9 for formal communications intended for entry, or (703) 305-0040, for informal or draft
10 communications, please label "Proposed" or "Draft".

11 Communications via Internet e-mail regarding this application, other than those under 35
12 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
13 addressed to *[daniel.felten@uspto.gov]*.
14

15 All Internet e-mail communications will be made of record in the application file. PTO
16 employees do not engage in Internet communications where there exists a possibility that
17 sensitive information could be identified or exchanged unless the record includes a properly
18 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
19 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
20 Trademark on February 25, 1997 at 1 195 OG 89.

21
22 

23 DSF

24 September 18, 2001


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100